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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

VISHAL SHAH and JAYDEN KIM,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

FANDOM, INC.,

Defendant.

Case No. 3:24-cv-01062-RFL

**UPDATED JOINT CASE
MANAGEMENT STATEMENT**

[Filed concurrently with Proposed Order]

Date: May 7, 2025

Time: 10:00 A.M.

Courtroom: 15 (via videoconference)

Judge: Hon. Rita F. Lin

Pursuant to the Court's April 8, 2025 Order (ECF No. 57) and Civil Local Rule 16-10(d), the Parties provide this Joint Case Management Statement in advance of the Case Management Conference scheduled for May 7, 2025.

1. DEVELOPMENTS SINCE THE INITIAL CASE MANAGEMENT STATEMENT

Pursuant to the continued investigation of their counsel of the facts of this case, Plaintiffs intend to file a Second Amended Complaint ("SAC") in this matter. To potentially avoid the need for motion practice, Plaintiffs have agreed to share the proposed SAC with Defendant prior to filing. If Defendant consents to the filing of the SAC, then Plaintiff proposes to file the SAC on June 4, 2025. If Defendant does not consent, then Plaintiff proposes to file a motion to amend the complaint on the same date with the following briefing schedule:

EVENT	PROPOSED DEADLINE
Deadline for Plaintiffs to Provide Defendant with the proposed SAC	May 28, 2025
Deadline to File SAC (With Consent) or Motion to Amend the Complaint	June 4, 2025
Opposition to Motion to Amend (If No Consent)	July 2, 2025
Reply In Support of Motion to Amend (If No Consent)	July 16, 2025

2. PROPOSALS FOR REMAINDER OF CASE DEVELOPMENT PROCESS

Based on the content of Plaintiffs' proposed SAC, Defendant will evaluate whether to answer or otherwise move to dismiss Plaintiffs' SAC. In either case, Defendant will answer or otherwise respond to the SAC no later than 30 days after the filing of the SAC (if done with consent) or the Court's order on the motion to amend the complaint (if there is no consent to the filing).

Given the Parties' ongoing settlement discussions (described below) and the pendency of the forthcoming SAC or motion to amend the complaint, the Parties propose setting further case management deadlines in advance of a later Case Management Conference. This will give the Parties and the Court more clarity as to the state of the pleadings, whether there is pending motion to dismiss the SAC (assuming it was filed with consent or with the Court's approval), and whether the Parties

have resolved the matter in the interim. The Parties propose filing an updated case management statement addressing these matters by no later than June 18, 2025.

3. ADR UPDATE

On March 4, 2025, the Parties attended a mediation with the Hon. Robert Freedman (Ret.) of JAMS San Francisco. While the matter was not resolved at the mediation, the Parties have continued to negotiate at arms'-length over the last 1.5 months. The Parties will know in advance of the May 7 Case Management Conference whether they have reached a settlement in principle of this matter or whether there is a continued need to litigate, and will be able to inform the Court of the same prior to or at the May 7 CMC.

Dated: April 30, 2025

Respectfully submitted,

BURSOR & FISHER, P.A.

TYZ LAW GROUP PC

By: /s/ L. Timothy Fisher
L. Timothy Fisher

By: /s/ Ryan Tyz
Ryan Tyz

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Attorneys for Plaintiffs

SIGNATURE ATTESTATION

Pursuant to Civil L.R. 5-1(i)(3), the filer of this document attests that all signatories have concurred in its filing.

By: /s/ L. Timothy Fisher
L. Timothy Fisher